

| | | |
|---|--|---|
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER 040102-000140US |
| | | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/549400 |
| INTERNATIONAL APPLICATION NO. PCT/US2004/007746 | INTERNATIONAL FILING DATE 11 March 2004 | PRIORITY DATE CLAIMED 14 March 2003 |
| TITLE OF INVENTION DRINKING VESSELS WITH REMOVABLE COOLING DEVICES | | |
| APPLICANT(S) FOR DO/EO/US CITRYNELL, Andrew; MILLER, Kimberly, Ann; SCHWARZE, Joel | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <ol style="list-style-type: none">1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.4. <input checked="" type="checkbox"/> The US has been elected (Article 31).5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<ol style="list-style-type: none">a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).<ol style="list-style-type: none">a. <input type="checkbox"/> is attached hereto.b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<ol style="list-style-type: none">a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).b. <input type="checkbox"/> have been communicated by the International Bureau.c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.d. <input checked="" type="checkbox"/> have not been made and will not be made.8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) Unexecuted.10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). | | |
| Items 11 to 20 below concern document(s) or information included: | | |
| <ol style="list-style-type: none">11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.13. <input type="checkbox"/> A preliminary amendment.14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.15. <input type="checkbox"/> A substitute specification.16. <input type="checkbox"/> A power of attorney and/or change of address letter.17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.18. <input checked="" type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). | | |

JC20 Rec'd PCT/PTO 1 3 SEP 2005

PTO-1390 (Rev. 07-2005)

| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/549400 To be assigned | INTERNATIONAL APPLICATION NO. PCT/US2004/007746 | ATTORNEY'S DOCKET NUMBER 040102-000140US | | | | | | | | | | |
|--|--|--|---|--------------|--|-----------|------|---------|--|--|--------|--|
| 20. Other items or information: Express Mail Label No. <u>EV 720987542</u> <u>US</u> ; copy of the publication of the International Application (WO 2004/082441); Copy of the International Search Report; | | | | | | | | | | | | |
| The following fees have been submitted | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 60%;">CALCULATIONS</th> <th style="width: 40%;">PTO USE ONLY</th> </tr> </table> | CALCULATIONS | PTO USE ONLY | | | | | | | | |
| CALCULATIONS | PTO USE ONLY | | | | | | | | | | | |
| 21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)) \$300 | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$ 300</td> <td style="width: 40%;"></td> </tr> </table> | \$ 300 | | | | | | | | | |
| \$ 300 | | | | | | | | | | | | |
| 22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 All other situations \$200 | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$ 200</td> <td style="width: 40%;"></td> </tr> </table> | \$ 200 | | | | | | | | | |
| \$ 200 | | | | | | | | | | | | |
| 23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400 All other situations \$500 | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$ 100</td> <td style="width: 40%;"></td> </tr> </table> | \$ 100 | | | | | | | | | |
| \$ 100 | | | | | | | | | | | | |
| TOTAL OF 21, 22 and 23 = | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$ 600</td> <td style="width: 40%;"></td> </tr> </table> | \$ 600 | | | | | | | | | |
| \$ 600 | | | | | | | | | | | | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"></td> <td style="width: 40%;"></td> </tr> </table> | | | | | | | | | | |
| | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 20%;">Total Sheets</th> <th style="width: 20%;">Extra Sheets</th> <th style="width: 30%;">Number of each additional 50 or fraction thereof (round up to a whole number)</th> <th style="width: 30%;">RATE</th> </tr> <tr> <td style="text-align: center;">- 100 =</td> <td style="text-align: center;">/50 =</td> <td></td> <td style="text-align: center;">x \$250</td> </tr> </table> | Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | - 100 = | /50 = | | x \$250 | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$</td> <td style="width: 40%;"></td> </tr> </table> | | \$ | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | | | | | | | | |
| - 100 = | /50 = | | x \$250 | | | | | | | | | |
| \$ | | | | | | | | | | | | |
| Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)). | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$</td> <td style="width: 40%;"></td> </tr> </table> | \$ | | | | | | | | | |
| \$ | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 20%;">CLAIMS</th> <th style="width: 20%;">NUMBER FILED</th> <th style="width: 20%;">NUMBER EXTRA</th> <th style="width: 40%;">RATE</th> </tr> <tr> <td style="text-align: center;">Total claims</td> <td style="text-align: center;">32 - 20 =</td> <td style="text-align: center;">12</td> <td style="text-align: center;">x \$ 50</td> </tr> </table> | CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | Total claims | 32 - 20 = | 12 | x \$ 50 | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$ 600</td> <td style="width: 40%;"></td> </tr> </table> | | \$ 600 | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | | | | | | | | |
| Total claims | 32 - 20 = | 12 | x \$ 50 | | | | | | | | | |
| \$ 600 | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 20%;">Independent claims</th> <th style="width: 20%;">2 - 3 =</th> <th style="width: 20%;">0</th> <th style="width: 40%;">x \$200</th> </tr> </table> | Independent claims | 2 - 3 = | 0 | x \$200 | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$ 0</td> <td style="width: 40%;"></td> </tr> </table> | | \$ 0 | | | | | |
| Independent claims | 2 - 3 = | 0 | x \$200 | | | | | | | | | |
| \$ 0 | | | | | | | | | | | | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$360 | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$</td> <td style="width: 40%;"></td> </tr> </table> | \$ | | | | | | | | | |
| \$ | | | | | | | | | | | | |
| TOTAL OF ABOVE CALCULATIONS = | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$ 1200</td> <td style="width: 40%;"></td> </tr> </table> | \$ 1200 | | | | | | | | | |
| \$ 1200 | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$ 600</td> <td style="width: 40%;"></td> </tr> </table> | \$ 600 | | | | | | | | | |
| \$ 600 | | | | | | | | | | | | |
| SUBTOTAL = | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$600</td> <td style="width: 40%;"></td> </tr> </table> | \$600 | | | | | | | | | |
| \$600 | | | | | | | | | | | | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). + | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$</td> <td style="width: 40%;"></td> </tr> </table> | \$ | | | | | | | | | |
| \$ | | | | | | | | | | | | |
| TOTAL NATIONAL FEE = | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$</td> <td style="width: 40%;"></td> </tr> </table> | \$ | | | | | | | | | |
| \$ | | | | | | | | | | | | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$</td> <td style="width: 40%;"></td> </tr> </table> | \$ | | | | | | | | | |
| \$ | | | | | | | | | | | | |
| TOTAL FEES ENCLOSED = | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$ 600</td> <td style="width: 40%;"></td> </tr> </table> | \$ 600 | | | | | | | | | |
| \$ 600 | | | | | | | | | | | | |
| | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Amount to be refunded:</td> <td style="width: 40%;">\$</td> </tr> <tr> <td>Amount to be charged:</td> <td>\$ 600</td> </tr> </table> | Amount to be refunded: | \$ | Amount to be charged: | \$ 600 | | | | | | |
| Amount to be refunded: | \$ | | | | | | | | | | | |
| Amount to be charged: | \$ 600 | | | | | | | | | | | |

10/549400

IC20 Rec'd PGT/PTO 13 SEP 2009

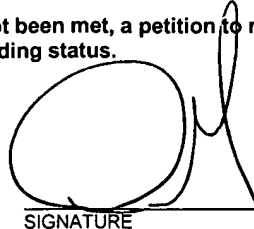
PTO-1390 (Rev. 07-2005)

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 20-1430 in the amount of \$ 2450 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to
Deposit Account No. 20-1430. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information
should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must
be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Darin J. Gibby
TOWNSEND AND TOWNSEND AND CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, CA 94111-3834


SIGNATURE

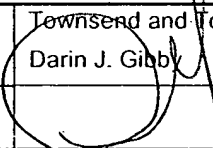
Darin J. Gibby
NAME

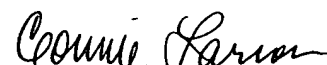
38,464
REGISTRATION NUMBER

Customer No. 20350

| | | | |
|--|--|------------------------|------------------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | | Application Number | 10/712,170 / 10/549400 |
| | | Filing Date | November 12, 2003 |
| | | First Named Inventor | Citrynell, Andrew |
| | | Art Unit | 3744 |
| | | Examiner Name | |
| Total Number of Pages in This Submission | | Attorney Docket Number | 040102-000110US |

| ENCLOSURES (Check all that apply) | | |
|--|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) Return Postcard Assignment with Recordation Cover Sheet |
| Remarks | The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm or Individual | Townsend and Townsend and Crew LLP Darin J. Gibby Reg. No. 38,464 |
| Signature |  |
| Date | March 31, 2004 |

| CERTIFICATE OF TRANSMISSION/MAILING | | | |
|---|---|------|----------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
| Typed or printed name | Connie Larson | | |
| Signature |  | Date | March 31, 2004 |

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 40

Complete if Known

| | |
|----------------------|-----------------------------|
| Application Number | 10/712,170 10/549400 |
| Filing Date | November 12, 2003 |
| First Named Inventor | Citrynell, Andrew |
| Examiner Name | |
| Art Unit | 3744 |
| Attorney Docket No. | 040102-000110US |

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:Deposit
Account
Number

20-1430

Deposit
Account
Name

Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1001 | 770 | 2001 | 385 | Utility filing fee | |
| 1002 | 340 | 2002 | 170 | Design filing fee | |
| 1003 | 530 | 2003 | 265 | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |

SUBTOTAL (1)

(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| | | Extra Claims | | Fee from below | | Fee Paid |
|--------------------|----|--------------|--|----------------|--|----------|
| Total Claims | ** | = | | X | | |
| Independent Claims | | = | | X | | |
| Multiple Dependent | | = | | X | | |

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|--|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 |
| 1201 | 86 | 2201 | 43 | Independent claims in excess of 3 |
| 1203 | 290 | 2203 | 145 | Multiple dependent claim, if not paid |
| 1204 | 86 | 2204 | 43 | ** Reissue independent claims over original patent |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet. | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 420 | 2252 | 210 | Extension for reply within second month | |
| 1253 | 950 | 2253 | 475 | Extension for reply within third month | |
| 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | |
| 1401 | 330 | 2401 | 165 | Notice of Appeal | |
| 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 | 145 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | |
| 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | |
| 1502 | 480 | 2502 | 240 | Design issue fee | |
| 1503 | 640 | 2503 | 320 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Petitions related to provisional applications | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | 40 |
| 1809 | 770 | 2809 | 385 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 770 | 2810 | 385 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid SUBTOTAL (3)

(\$) 40

SUBMITTED BY

Name (Print/Type)

Darin J. Gibby

Registration No. (Attorney/Agent)

38,464

Telephone

303-571-4000

Signature

Date

March 31, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.